

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-10915-2020

Date of decision: 08.05.2020

TAJ MOHAMMAD

... Petitioner

VS

STATE OF HARYANA

... Respondent

CORAM:HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Dharamvir Sharma, Advocate for the petitioner.

Mr. Kuldeep Tewari, Addl. A.G. Haryana.

FIR bearing No. 124 dated 12.04.2019; under Sections 420, 468, 471, 482 IPC & Section 61 of Punjab Excise Act, 1914 has been registered at Police Station Sector 56, Gurugram on the allegations that on 12.4.2019 in pursuance of the receipt of secret information a vehicle was intercepted, 230 boxes of liquor were recovered and driver namely Raja was apprehended on the spot. The vehicle was depicted to be belonging to Indian Postal Services and was having number plate depicting different registration number on the front and rear side. Subsequently, the arrest of Rajesh and Ajay Kumar was also effected and in pursuance of the disclosure statement of Ajay Kumar co-accused, the arrest of Taj Mohammad was effected on 23.11.2019.

It has been pointed out that allegations against the petitioner are to the effect that he had painted the vehicle and fictitious number plates. It has been argued by learned counsel for the petitioner that co-accused namely Raja who was arrested from the spot has been granted regular bail and Ajay Kumar co-accused has been granted pre-arrest bail by this Court. The custodial interrogation of the petitioner is over and he has been remanded to judicial custody. Investigation of the case is complete. The offences are triable by Judicial Magistrate First Class.

Challan has already been presented in the Court. Petitioner has been sought to be implicated on the basis of the disclosure statement of the co-accused.

Learned State counsel has not disputed this factual aspect of the case.

Without expressing any opinion on the merits of the case and keeping in view the fact that conclusion of the trial is likely to take some time, present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

(VIVEK PURI)
JUDGE

08.05.2020

Janki

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No